

ZB# 89-22

KWG Realty

9-1-23.1

Memorandum5/8/89.

Notice to
Sentinel 5/8/89. ✓
OCDP to be notified

Public Hearing:

5/22/89.

OCDP notified - 5/10/89.

Fee: \$50,000 28A App.

Paid

Variance

Granted

5/8/89.

#89-22- KWG Realty - sign variance / Ext. of NC Use.

10661

General Receipt

TOWN OF NEW WINDSOR
 555 Union Avenue
 New Windsor, N. Y. 12550

May 24 19 89

Received of K.W.G. Realty Corp. \$ 50.00

Fifty and 00 DOLLARS

For ZBA Application fee # 89-22

DISTRIBUTION

FUND	CODE	AMOUNT
CR# 4351		50.00

Williamson Law Book Co., Rochester, N. Y. 14609

By Pauline D. Townsend
Town Clerk
 Title





Louis Holmbach
County Executive

Rec'd TA
Office 5/24/89 (PAB)

Department of Planning
& Development

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by TOWN OF NEW WINDSOR ZBA D P & D Reference No. NLOT16-89M

County I.D. No. 9 1 1 123.1

Applicant KUOB READY CORP (CALLAGHER TRUCKING)

Proposed Action: AREA VARIANCE: SIGN SIZE

State, County, Inter-Municipal Basis for 239 Review FRONTAGE/ACCESS N/PS 32

Comments:

MUST BE VIEWED IN THE CONTEXT OF NEED
AND IMPACT ON THE VISUAL ENVIRONMENT
I.E. ADD/DETRACT

WHAT ALTERNATIVES EXIST, IF ANY, TO
UP-GRADE THE QUALITY OF THE VISUAL ENVIRONMENT?

Related Reviews and Permits

County Action: Local Determination ☒ Disapproved ☐ Approved ☐

Approved subject to the following modifications and/or conditions:

MAY 17, 1989
Date

Peter Garrison
Commissioner

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE OR SPECIAL PERMIT

88-12

Date: 02/22/88

I. Applicant Information:

- (a) KWG REALTY CORP., P. O. Box 2628, Newburgh, NY X
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of broker)

II. Application type: *

- ☐ Use Variance ☐ Sign Variance
- ☐ Area Variance ☐ Special Permit

*Variance from Sec. 48-24B(3) - Extensions of Nonconforming Uses.

III. Property Information:

- (a) PT Windsor Hwy. - Rt. 32 South 9-1-23.1 11.36 acres ±
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? none
- (c) Is a pending sale or lease subject to ZBA approval of this application? n/a
- (d) When was property purchased by present owner? 2/13/69
- (e) Has property been subdivided previously? n/a When? -
- (f) Has property been subject of variance or special permit previously? no When? -
- (g) Has an Order to Remedy Violation been issued against the property by the Zoning Inspector? no
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: n/a

IV. Use Variance: n/a

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____
- _____
- _____
- _____

- (b) The legal standard for a "Use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

(See annexed addendum)

V. Area variance: n/a

- (a) Area variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.	/	/
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage*	%	%
Floor Area Ratio**		

* Residential Districts only

** Non-residential districts only

- (b) The legal standard for an "AREA" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also, set forth any efforts you have made to alleviate the difficulty other than this application.

VI. Sign Variance: n/a

- (a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			
Sign 5			
Total	_____ sq.ft.	_____ sq.ft.	_____ sq.ft.

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversize signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Special Permit:

- (a) Special Permit requested under New Windsor Zoning Local Law Section _____, Table of _____ Regs., Col. _____.
- (b) Describe in detail the use and structures proposed for the special permit.

VIII. Additional comments:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

(See attached addendum to application)

IX. Attachments required:

- ☒ Copy of letter of referral from Bldg./Zoning Inspector.
- ☒ Copy of tax map showing adjacent properties.
- ☐ Copy of contract of sale, lease or franchise agreement.
- ☒ Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot.
- ☐ Copy(ies) of sign(s) with dimensions.
- ☒ Check in the amount of \$ 50.00 payable to TOWN OF NEW WINDSOR.
- ☒ Photos of existing premises which show all present signs and landscaping.

X. AFFIDAVIT

Date 02/22/88

STATE OF NEW YORK)
COUNTY OF ORANGE) SS.:

The undersigned Applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his knowledge or to the best of his information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance or permit granted if the conditions or situation presented herein are materially changed.

Sworn to before me this

 day of March, 1988.

(Applicant)
KWG REALTY CORP.
By: _____, President

XI. ZBA Action:

- (a) Public Hearing date _____.
- (b) Variance is _____.
- Special Permit is _____.
- (c) Conditions and safeguards: _____
- _____
- _____
- _____

A FORMAL DECISION WILL FOLLOW
WHICH WILL BE ADOPTED BY
RESOLUTION OF ZONING BOARD OF APPEALS.

ADDENDUM ANNEXED TO APPLICATION OF KWG REALTY CORP.

VIII. ADDITIONAL COMMENTS

A nonconforming use is any use, whether of a building or tract of land or both existing on the effective date of the local law of the Town of New Windsor which does not conform to the use regulations of the district in which it is located. This applies to all nonresidence uses existing on the effective date of this local law and to uses that become nonconforming by reason of any subsequent amendments to this local law.

Applicant is seeking approval of a 57 ft. by 60 ft. structure or showroom to house the vehicles which are already stored on the property. The existing structure is to be constructed on the 11.36 acre parcel which is located in a PI zone.

In accordance with Section 48-24B(3), Applicant is proposing to extend the nonconformity of the property by 25% which is allowed under this section provided that the Board of Appeals shall find that the practical difficulties prevail in operating the premises or structures in the presently existing nonconforming manner and that the proposed extension or remodeling would constitute reasonable adjustment of the existing nonconforming use or remodeling will reduce the nonconforming use.

The proposed extension will not have a deleterious effect on the neighborhood of the existing nonconforming use. The neighborhood is zoned PI which is commercial in nature. Since this property has always been used as it presently exists, traffic safety, nuisance characteristics, manner of operation, total ground area covered by the structure and the appearance and condition of the premises will remain the same.

On site parking and loading space will remain the same as in the past.

The proposed extension will not unduly restrict fire and police protection since Applicant has 11.36 acres of land for the proposed construction.

-----X

In the Matter of the Application of

K.W.G. REALTY CORP.

DECISION GRANTING
SIGN VARIANCE

#89-22.

-----X

WHEREAS, K.W.G. REALTY CORP., a domestic corporation having its principal place of business located on Windsor Highway, New Windsor, New York 12550, by its Treasurer, Frank X. Gallagher, has made application before the Zoning Board of Appeals for a sign variance for the purpose of locating a sign on the building facade at above location in a PI zone; and

WHEREAS, a public hearing was held on the 22nd day of May, 1989 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, Frank X. Gallagher, appeared in behalf of the above corporation; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings of fact in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that Applicant is a corporation which owns the facility known as "Gallagher's" and is presently before the ZBA to seek a 36 s.f. sign variance for placement of a sign on the newly-constructed building.

3. Applicant's proposed sign area exceeds the bulk regulations for a sign in the PI zone by 36 s.f.

WHEREAS, the Zoning Board of Appeals makes the following findings of law in this matter:

1. The evidence shows that the applicant will encounter practical difficulty if the sign variance requested is not granted due to the fact that this is a well-travelled highway and a sign for identification is required.

2. The proposed variance will not result in substantial detriment to adjoining properties or change the character of the neighborhood.

3. The proposed request for a sign variance of 36 s.f. is not excessive.

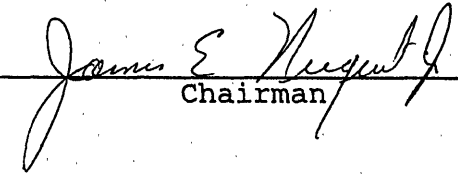
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a sign variance of 36 s.f. in accordance with plans presented at the public hearing and on file in Building Inspector's Office.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: June 12, 1989.


Chairman

file

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR

-----x
In the Matter of the Application of

KWG REALTY, INC.

DECISION GRANTING
EXTENSION OF NON-
CONFORMING USE.

#88-12.

-----x
WHEREAS, KWG REALTY, INC., a corporation having an office on Windsor Highway, Route 32 South, by its Treasurer, Francis X. Gallagher, made application before the Zoning Board of Appeals for an extension of a nonconforming use, and more specifically, extension of the commercial trucking business at the above address; and

WHEREAS, a public hearing was held on the 14th day of March, 1988 at the Town Hall, 555 Union Avenue, New Windsor, New York; and

WHEREAS, applicant appeared with his engineer, Greg Shaw, P. E. of Shaw Engineering; and

WHEREAS, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. Practical difficulties prevail in operating the premises or structures in the presently existing nonconforming manner and that the proposed extension would constitute reasonable adjustment of the existing nonconforming use;

2. The proposed extension will not have a deleterious effect on the neighborhood of the existing nonconforming use;

3. The proposed extension will not be more incompatible with or adversely alter the neighborhood;

4. Adequate or on-site parking and loading spaces will not be provided for all potential users; and

5. The proposed extension will not unduly restrict fire and police protection of the premises and of surrounding properties.

NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor grant permission for the extension of the nonconforming use by 30% as applied for and in connection with plans presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and the applicant.

Dated: March 28, 1988.


Chairman



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

24-5/5/89.
(2 unclaimed)

25

May 11, 1989

KWG Realty Corp.
PO box 2628
Newburgh, NY 12550

Re: Variance List 500 ft. - 9-1-23.1

Gentlemen:

According to our records, the attached list of property owners are within five hundred (500) feet of the above mentioned property in the Town of New Windsor. (Please be advised that 9-1-23.1 also borders the City of Newburgh.)

The charge for this service is \$45.00, minus your deposit of \$25.00.

Please remit same to the Town Clerk, Town of New Windsor, NY

Very truly yours,

Leslie Cook / po

LESLIE COOK
Sole Assessor

LC/po
Attachments

Monti, Anthony & Veronica X
15 Fern Ave.
New Windsor, NY 12550

Bonetti, Jr. Joseph W. & Susan W. X
9 Fern Ave.
New Windsor, NY 12550

Thomas, Kenneth A. & Pamela A.
7 Fern Ave.
New Windsor, NY 12550

Kennedy, Thomas & Helen I. X
5 Fern Ave.
New Windsor, NY 12550

Scott, Jack D. & Charlotte A. X
32 Windsor Highway
New Windsor, NY 12550

Mihalco, Emil J. & Helen X
14 Fern Ave.
New Windsor, NY 12550

Teneyck, Abraham X
& Porteous, Fredrick A.
12 Fern Ave.
New Windsor, NY 12550

Fitzgerald, Patrick & Bridget X
10 Fern Ave.
New Windsor, NY 12550

Schermerhorn, Richard E. & Rosemary W. X
36 Windsor Highway
New Windsor, NY 12550

Padilla, Angel M. & Nellie A. X
38 Windsor Highway
New Windsor, NY 12550

Schaffer, William S. & Richard A. X
RD #2, Box 355, Bethlehem Rd.
New Windsor, NY 12550

McKible, Joel & Rachael X
42 Windsor Highway
New Windsor, NY 12550

City of New York ✓

Central Hudson Gas & Elec. Corp.
c/o Tax Agent
South Road
Poughkeepsie, NY 12603

Mans Bros. Realty, Inc.
Po Box 247
Vails Gate, NY 12584

Newburgh Miron Lumber Corp.
250 Lake St.
Newburgh, NY 12550

Tomlin Holding Corp.
8 Susan Dr.
Newburgh, NY 12550

McDonald, Jane E.
240 Lake St.
Newburgh, NY 12550

Thompson, Charles I.
& Weston, William K.
c/o Heights Lumber Co.
3 Windsor Highway
New Windsor, NY 12550

A. T. Reynolds & Sons, Inc.
Box K
Kiamesha Lake, NY 12751

Consolidated Rail Corp.
6 Penn Center Plaza
Philadelphia, PA 19103

Triangle Pacific Corp.
16803 Dallas Parkway
Dallas, TX 75248

Cornwall Paper Mills Co.
300 Executive Dr., Suite 360
West Orange, NJ 07052

New Windsor Equipment Rentals & Service, Inc.
Ruscitti Road
New Windsor, NY 12550

Argenio Brothers, Inc.
Ruscitti Road
New Windsor, NY 12550

B.

ORANGE COUNTY DEPARTMENT OF PLANNING
APPLICATION FOR MANDATORY COUNTY REVIEW
OF LOCAL PLANNING ACTION
(Variances, Zone Changes, Special Permits, Subdivisions)

Section A. - To be completed by Local Board having jurisdiction.
To be signed by Local Official.

Local File No. 89-22.

1. Municipality Town of New Windsor Public Hearing Date 5/22/89.
☐ City, Town or Village Board ☐ Planning Board ☒ Zoning Board of Appeals
2. Applicant: NAME KWG Realty Corp. (Gallagher Truck)
Address * Route 32 South - New Windsor, NY.
~~Attorney, Engineer, Architect~~
3. Location of Site: same as above. *
(street or highway, plus nearest intersection)
Tax Map Identification: Section 9 Block 1 Lot 23.1
Present Zoning District P2. Size of Parcel 11.36 ± acres.
4. Type of Review:
☐ Special Permit Use*
☒ Variance* Use Bldg.
Area Sign 36 s.f. (see attached)
☐ Zone Change* From: _____ To: _____
☐ Zoning Amendment* To Section: _____
☐ Subdivision** Major _____ Minor _____
- 5/10/89. Date
Patricia A. Barnhart Signature and Title

*Cite Section of Zoning Regulations where pertinent

**Three (3) copies of map must be submitted if located along County Highway, otherwise, submit two (2) copies of map.

OCPD-1



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Prelim
5/8/89 -

#89-22

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

FILE NUMBER 89-16

TO; K.W.G. Realty Corp.

Rt. 32 South, P.O. Box 2628

Newburgh, N.Y. 12550

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 8 MAY 89,

FOR PERMIT TO Place sign on new building

AT Gallagher trucks on Rt. 32

IS DISSAPROVED ON THE FOLLOWING GROUNDS Excessive sign area

REQUIREMENTS

PROPOSED

VARIANCE

According to Bulk Table PI COL.N #1 aggregate sign area shall not
exceed 60 sq '

60 sq'

96sq'

36sq'

Call Pat Barnhart (565-8550) to arrange an appointment

[Signature]
BUILDING INSPECTOR

IMPORTANT

REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1-WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
- 2-FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
- 3-INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
- 4-WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
- 5-INSULATION.
- 6-PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME.
- 7-DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR.
- 8-\$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
- 9-PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
- 10-THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
- 11-SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
- 12-SPETIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
- 13-ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.

Name of Owner of Premises K.W.G. Realty Corporation

Address..... Route 32 South, P.O. Box 2628 Phone 914-565-7700

Name of Architect..... N/A

Address..... N/A Phone N/A

Name of Contractor Mid-Hudson Neon

Address..... 32 Walnut Street, New Windsor, NY Phone 914-561-5561

12550

State whether applicant is owner, lessee, agent, architect, engineer or builder..... Owner

If applicant is a corporation, signature of duly authorized officer.

..... Frank X. Gallagher, Treasurer

(Name and title of corporate officer)

1. On what street is property located? On the... West side of..... Route 32 (Windsor Highway)
- (N. S. E. or W.)
- and 200' feet from the intersection of..... Fern Avenue
2. Zone or use district in which premises are situated Planned Industrial
3. Tax Map description of property: Section..... 9 Block..... 1 Lot..... 23.1
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:
 - a. Existing use and occupancy Vehicle Showroom Intended use and occupancy Vehicle Showroom
5. Nature of work (check which applicable): New Building..... Addition..... Alteration..... Repair..... Removal.....
- Demolition..... Other..... Sign
6. Size of lot: Front..... 108.4' Rear..... 7.33' Depth..... 69.7' Front Yard..... 1.95' Rear Yard..... 4.65' Side Yard..... 1.40'
- Is this a corner lot? NO ..

CALL ONE DAY AHEAD FOR ALL INSPECTIONS TO AVOID DELAYS - 565-8807

- 1-WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
- 2-FOUNDATION INSPECTION - CHECK HERE FOR WATERPROOFING AND FOOTING DRAINS.
- 3-INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
- 4-WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
- 5-INSULATION.
- 6-PLUMBING FINAL & FINAL. HAVE ON HAND ELECTRICAL INSPECTION DATA PER THE BOARD OF FIRE UNDERWRITERS, AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETE AT THIS TIME.
- 7-DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR.
- 8-\$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE SAME INSPECTION TWICE.
- 9-PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
- 10-THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
- 11-SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
- 12-SPETIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
- 13-ROAD OPENING PERMITS MUST BE OBTAINED FROM TOWN CLERK'S OFFICE.

Name of Owner of Premises K.W.G. Realty Corporation.....

Address..... Route 32 South, P.O. Box 2628..... Phone 914-565-7700.....

Name of Architect..... N/A.....

Address..... N/A..... Phone N/A.....

Name of Contractor Mid-Hudson Neon.....

Address..... 32 Walnut Street, New Windsor, NY..... Phone 914-561-5561
12550

State whether applicant is owner, lessee, agent, architect, engineer or builder:..... Owner

If applicant is a corporation, signature of duly authorized officer.

..... Frank X. Gallagher, Treasurer.....
(Name and title of corporate officer)

1. On what street is property located? On the West..... side of..... Route 32 (Windsor Highway)
200'..... (N. S. E. or W.)
and feet from the intersection of..... Fern Avenue

2. Zone or use district in which premises are situated Planned Industrial.....

3. Tax Map description of property: Section..... 9..... Block..... 1..... Lot..... 23.1.....

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction:

a. Existing use and occupancy Vehicle Showroom Intended use and occupancy Vehicle Showroom

5. Nature of work (check which applicable): New Building..... Addition..... Alteration..... Repair..... Removal.....

Demolition..... Other. Sign

6. Size of lot: Front 108.4' Rear 7.33' Depth 6.97' Front Yard 1.95' Rear Yard 4.65' Side Yard 1.40'

Is this a corner lot? NO..

SEE PLANS

7. Dimensions of entire new construction: Front..... Rear..... Depth..... Height..... Number of stories.....

8. If dwelling, number of dwelling units..... Number of dwelling units on each floor.....

N/A Number of bedrooms..... Baths..... Toilets.....

Heating Plant: Gas..... Oil..... Electric...../Hot Air..... Hot Water.....

If Garage, number of cars.....

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use..... Office and

..... Vehicle Showroom.....

10. Estimated cost \$6,000...... Fee
(to be paid on filing this application)

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

TOWN OF NEW WINDSOR, ORANGE COUNTY, N. Y.

Examined.....19.....
Approved.....19.....
Disapproved a/c.....
Permit No.

Office Of Building Inspector
Michael L. Babcock
Town Hall, 555 Union Avenue
New Windsor, New York 12550
Telephone 565-8807

Refer --

Planning Board.....
Highway.....
Sewer
Water
Zoning Board of Appeals

APPLICATION FOR BUILDING PERMIT

Pursuant to New York State Building Code and Town Ordinances

Date.....May 8.....19.89....

INSTRUCTIONS

- a. This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- b. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- c. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- d. The work covered by this application may not be commenced before the issuance of a Building Permit.
- e. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- f. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

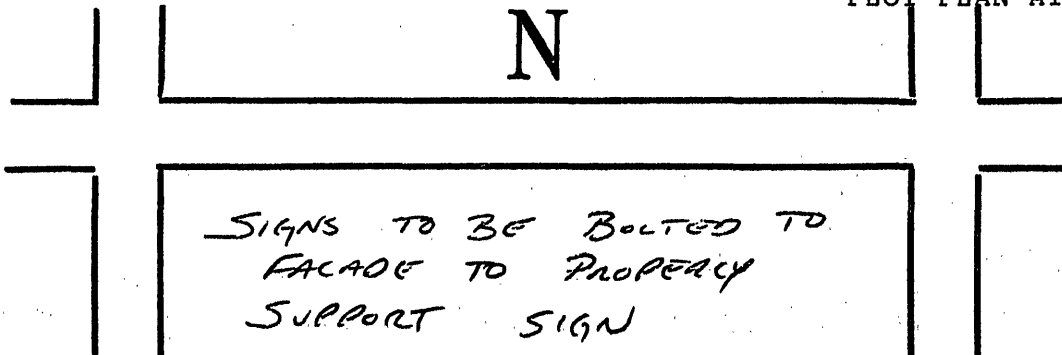
.....*Frank Murphy*.....Rt...32...South...P.O...Box...2628...Newburgh...NY...12550
(Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings. SEE SIGN DESIGN &

PLOT PLAN ATTACHED



Planning Board.....
Highway.....
Sewer.....
Water.....
Zoning Board of Appeals

Pursuant to New York State Building Code and Town Ordinances

Date..... May 8 19.89.....

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted in duplicate to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions or alterations, or for removal or demolition or use of property, as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

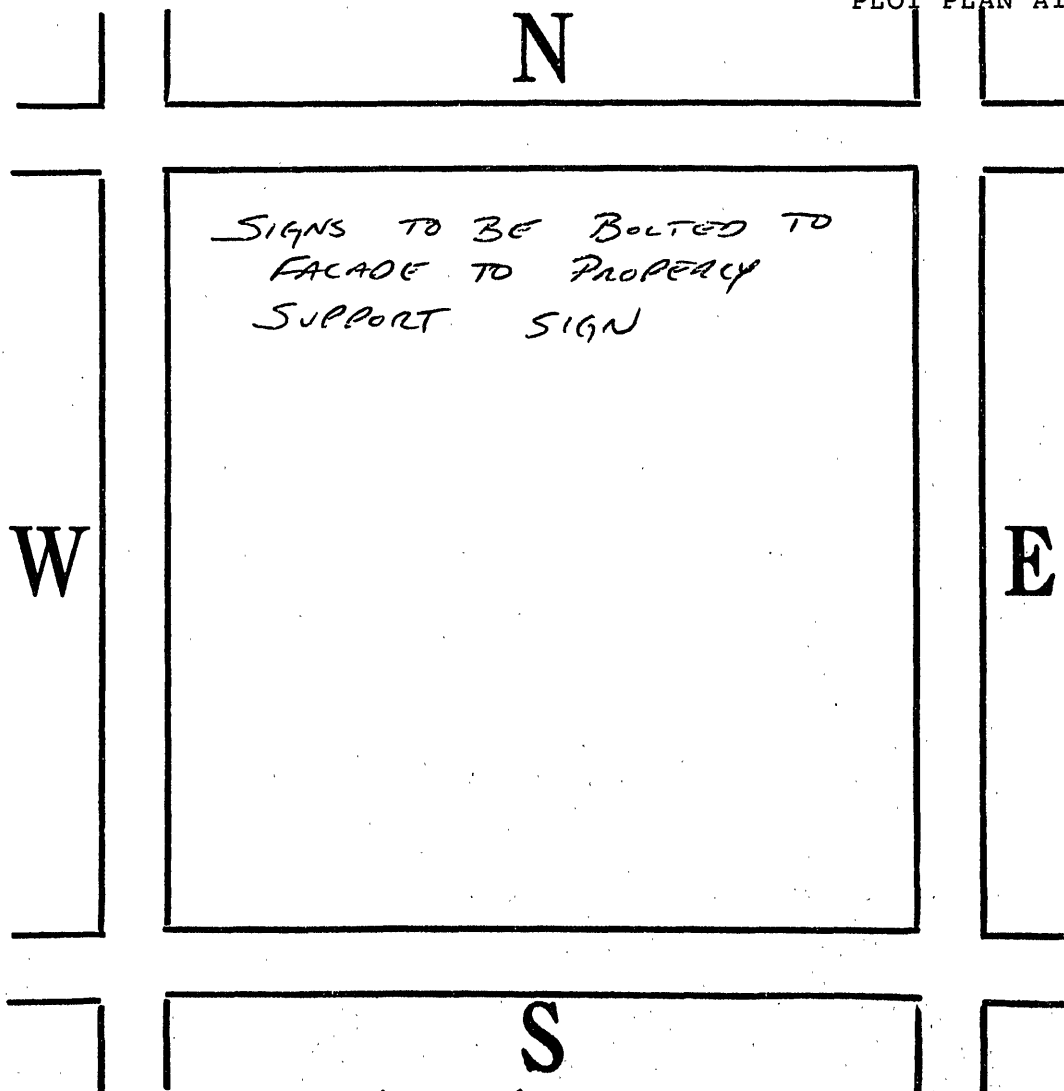
..... *Frank M. Murphy* Rt. 32 South P.O. Box 2628 Newburgh, NY 12550
(Signature of Applicant) (Address of Applicant)

PLOT PLAN

NOTE: Locate all buildings and indicate all set-back dimensions.

Applicant must indicate the building line or lines clearly and distinctly on the drawings. SEE SIGN DESIGN &

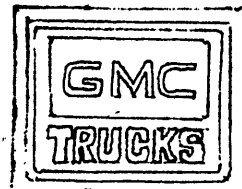
PLOT PLAN ATTACHED



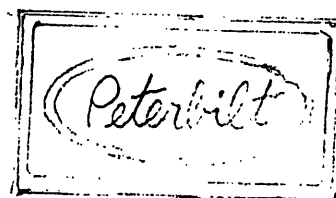
4x5
~~2x2 to~~
~~4x7~~

4x12'

4x1'



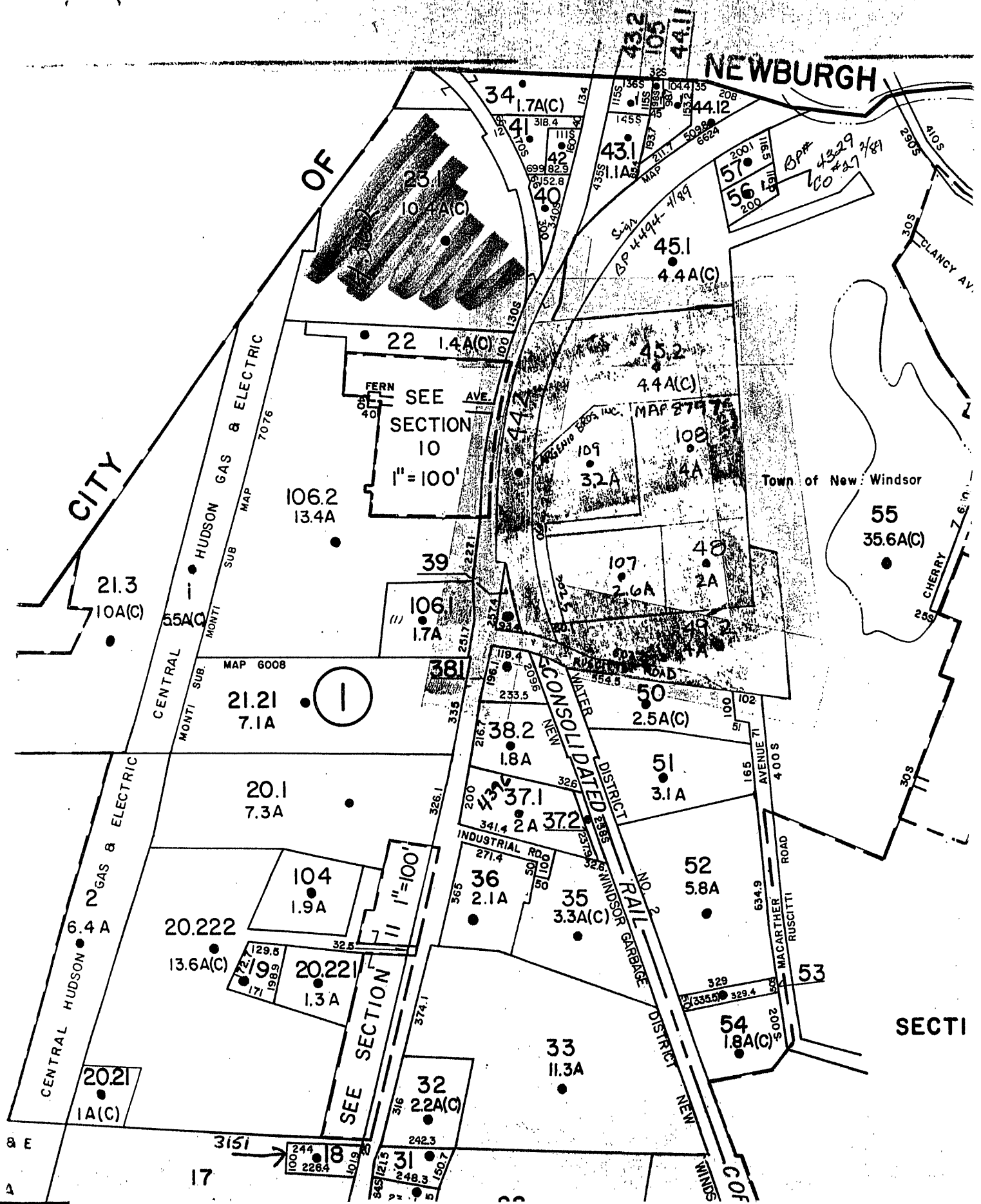
4' Gallagher

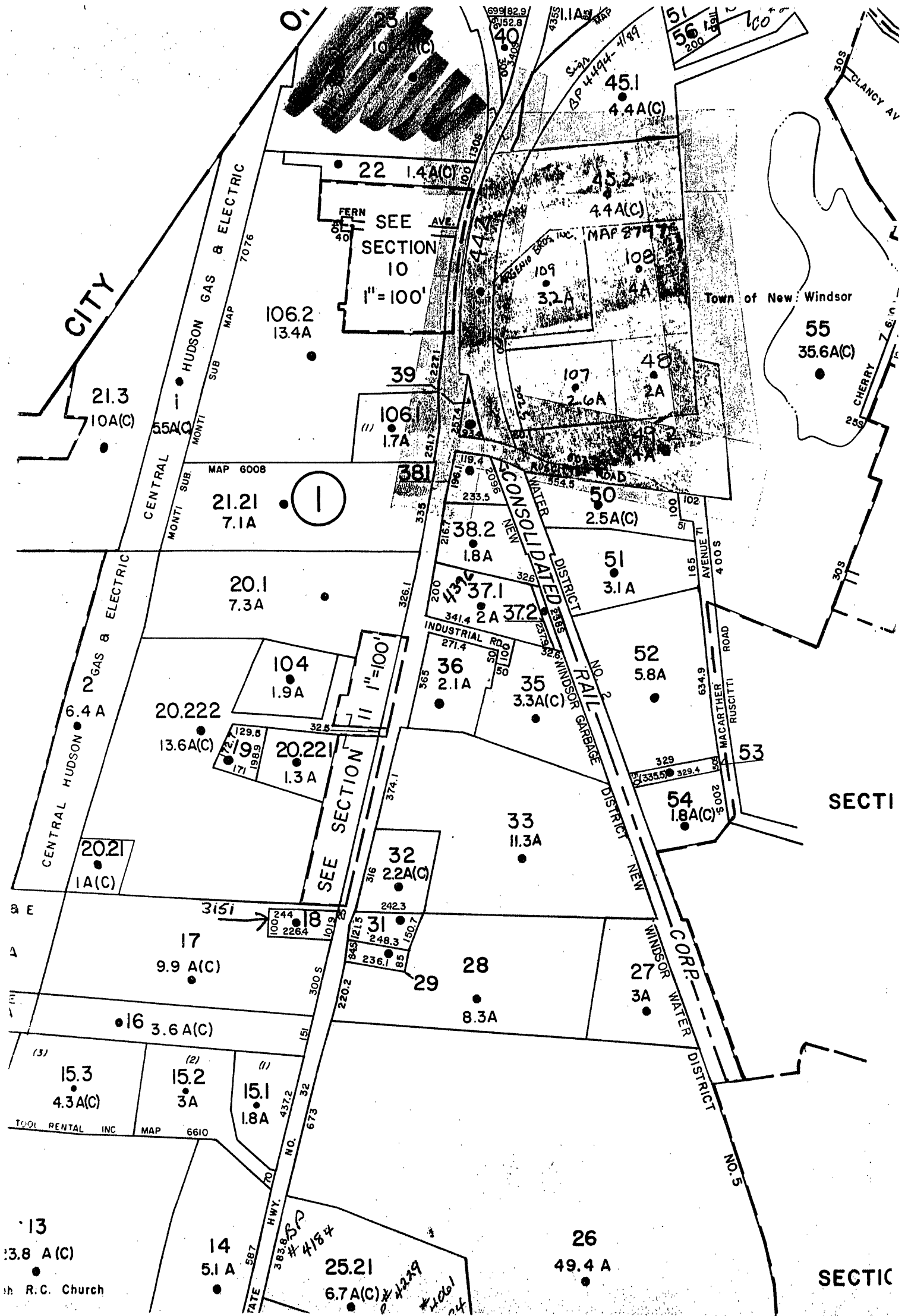


12 1/2'

60'

VARIANCE
36





PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 22

Request of K.W.G. REALTY CORP.

for a VARIANCE of
the regulations of the Zoning Local Law to
permit building sign with more than the
allowable square footage;

being a VARIANCE of
Section 48-18 - Table of Use/Bulk Regs.-Col. N
for property situated as follows:

West side of Route 32 (Windsor Highway)
New Windsor, N. Y. known and designated at
tax map Section 9-Block 1-23.1.

SAID HEARING will take place on the 22nd day of
May, 1989, at the New Windsor Town Hall,
555 Union Avenue, New Windsor, N. Y. beginning at
7:30 o'clock P. M.

JAMES NUGENT
Chairman



Louis Holmbach
County Executive

Rec'd
3/21/88 PAB

**Department of Planning
& Development**

124 Main Street
Goshen, New York 10924
(914) 294-5151

Peter Garrison, Commissioner
Richard S. DeTurk, Deputy Commissioner

**ORANGE COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
239 L, M or N Report**

This proposed action is being reviewed as an aid in coordinating such action between and among governmental agencies by bringing pertinent inter-community and Countywide considerations to the attention of the municipal agency having jurisdiction.

Referred by Town of New Windsor Zoning Board D P & D Reference No. NWT 12-88 M

County I.D. No. 9 / 1 / 23.1

Applicant KWG Realty Corp. (Gallagher Truck Leasing Corp.)

Proposed Action: Use Variance @ Route 32

State, County, Inter-Municipal Basis for 239 Review within 500' of Route 32

County Effects: _____

Related Reviews and Permits _____

County Action: xxxxxxx Local Determination _____ Approved _____ Disapproved _____

Approved subject to the following modifications and/or conditions: _____

March 17, 1988

Date

☐ Postcard Returned
Date _____

Peter Garrison
Commissioner



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK

Rf

March 15, 1988

KWG REALTY, INC.
P. O. Box 2628
Newburgh, N. Y. 12550

Attn: Mr. Frank Gallagher

RE: APPLICATION FOR EXTENSION OF NONCONFORMING USE
#88-12

Dear Mr. Gallagher:

This is to confirm that the Zoning Board of Appeals at its March 14, 1988 meeting, voted in favor of your above extension of a nonconforming use in accordance with plans submitted.

Formal decision will be drafted some time in the future and acted upon by the Board. You will be receiving a copy by return mail.

Very truly yours,

PATRICIA A. BARNHART
Secretary

/pab

Enclosure

cc: Town Planning Board
Michael Babcock, B. I.
Shaw Engineering P. C.
Attn: Greg Shaw P. E.

bedroom dwelling unit shall have a minimum of seven hundred (700) square feet. No more than one (1) person shall be permitted to occupy an efficiency-type dwelling unit. No more than two (2) persons shall be permitted to occupy a one-bedroom dwelling unit and no more than three (3) persons shall be permitted to occupy a two-bedroom dwelling unit.

- (14) The occupancy for a senior citizen project shall be limited to persons who are sixty-two (62) years of age or over, with the following exceptions:
- (a) A husband or wife under the age of sixty-two (62) years who is residing with his or her spouse, who is of the age of sixty-two (62) years or over.
 - (b) Adults under sixty-two (62) years of age will be admitted as permanent residents if it is established that the presence of such persons is essential for the physical care or economic support of the eligible older occupant or occupants.
- (15) The architectural design of all buildings, the site section and recreational facilities must be consistent with the ultimate purpose of achieving independent, self-reliant and pleasant living arrangements for a group of senior citizens and should take into account the desires and needs of older persons for privacy and for participation in social and community activities. At the same time, provision should be made to accommodate the limitations that sometimes accompany advanced years so that independent living can be sustained as long as possible.
- (16) Adequate facilities shall be provided for the removal of snow, trash and garbage and for general maintenance of the project.
- (17) The Town Board shall have the right to require the applicant to dedicate to the public all new streets and recreational areas. The Town Board shall have the right to require that the applicant execute such agreements and covenants as may be required in the

opinion of the Town Attorney in order to assure that the premises shall be used in accordance with the terms of the special permit to be issued, said agreements or covenants shall be such as may be recorded in the Orange County Clerk's office and constitute a covenant running with the land. Such covenant or agreement may only be modified or released as set forth in said covenant or agreement or by local law of the Town of New Windsor.

- (18) Each dwelling unit shall have bath facilities, including as a minimum a lavatory, water closet and bathtub or stall shower.
- (19) The size of the bathroom and arrangement of the fixtures shall be adequate for the convenient use of the fixtures by older persons. The floor finish shall be impervious to water and shall have nonslip characteristics. The threshold shall be flush with the floor.
- (20) All plumbing fixtures, accessories and trim shall be selected for and provide the maximum features of design that contribute to the safety, convenience and aid to older persons.
- (21) Shower stalls shall include a built-in seat or bench or room enough for a bath stool.
- (22) Wherever practical, out-of-door facilities, including landscaped sitting areas and space for exercise and games, shall be provided.
- (23) Where practicable, self-service laundry facilities for the common use by residents should be provided in a convenient location.

ARTICLE VI

Nonconforming Uses and Buildings

§ 48-24. Nonconforming uses.

- A. A nonconforming use is any use, whether of a building or tract of land or both, existing on the effective date of this

local law which does not conform to the use regulations of the district in which it is located.

B. The following provisions shall apply to all nonresidence uses existing on the effective date of this local law which do not conform to the requirements set forth in this local law and to uses that become nonconforming by reason of any subsequent amendment to this local law.

(1) Nonconforming uses (nonresidence). Any nonconforming uses of buildings or open land, except those specified in § 48-26 herein, may be continued indefinitely, but:

(a) Shall not be changed to another nonconforming use without special permission from the Board of Appeals, and then only to a use which, in the opinion of said Board, is of the same or a more restricted nature.

(b) Shall not be reestablished if such use has been discontinued for any reason for a period of two (2) years or more, or has been changed to or replaced by a conforming use. Intent to resume a nonconforming use shall not confer the right to do so.

(2) Except as provided in § 48-24B(3) below, no building which houses a nonconforming use shall be:

(a) Moved to another location where such use would be nonconforming.

(b) Restored for other than a conforming use after damage, from any cause, of one hundred percent (100%) of the replacement cost of such building, exclusive of foundations. Any such damaged building may be restored, but not enlarged, if application for a building permit is made within six (6) months and the nonconforming use is reinstated within one (1) year of such damage. If the restoration of such building is not completed within the provisions of § 48-28I, the nonconforming use of such building shall be deemed

to have been discontinued, unless such nonconforming use is carried on without interruption in the undamaged portion of such building.

- (3) Extensions or remodeling of structures used for nonconforming uses. Notwithstanding any other provision of this local law, a structure devoted to such nonconforming use may be extended to an extent not exceeding thirty percent (30%) of its ground-floor area existing at the time of the enactment of this local law or any amendment thereto, and provided further that the Board of Appeals shall find that:

- (a) Practical difficulties prevail in operating the premises or structures in the presently existing

(Cont'd on page 4867)

022288 KWG.
TAA ZBA Doc Disk 4

nonconforming manner and that the proposed extension or remodeling would constitute reasonable adjustment of the existing nonconforming use or remodeling will reduce the nonconforming use.

- (b) The proposed extension will not have a deleterious effect on the neighborhood of the existing nonconforming use. In determining deleterious effect, the Board of Appeals shall take into consideration, among other things, traffic safety, nuisance characteristics, manner of operation, total ground area covered by the structure, and the appearance and condition of the premises.
- (c) The proposed extension or remodeling will not be more incompatible with or adversely alter the model and character of the neighborhood and neighborhood structures, nor prejudice the value of adjoining properties.
- (d) Adequate or on-site parking and loading space will be provided for all potential users.
- (e) The proposed extension or remodeling will not unduly restrict fire and police protection of the premises and of surrounding properties.
- (4) Nothing in this section shall be deemed to prevent normal maintenance and repair of any building or the carrying out, upon the issuance of a building permit, of major structural alterations or demolitions necessary in the interest of public safety. In granting such a permit, the Zoning Inspector shall state the precise reason why such alterations were deemed necessary.
- C. Nonconforming residence use. Any residence use existing on the date of this local law which does not conform to the use regulations set forth in this local law or which becomes a nonconforming use by reason of any subsequent amendment shall be treated within the provisions of this

B..

ORANGE COUNTY DEPARTMENT OF PLANNING
APPLICATION FOR MANDATORY COUNTY REVIEW
OF LOCAL PLANNING ACTION
(Variances, Zone Changes, Special Permits, Subdivisions)

Section A. - To be completed by Local Board having jurisdiction.
To be signed by Local Official.

Local File No. 88-12

1. Municipality TOWN OF NEW WINDSOR Public Hearing Date 3/14/88

☐ City, Town or Village Board ☐ Planning Board ☒ Zoning Board of Appeals

2. Applicant: NAME KWG REALTY CORP. (GALLAGHER TRUCK RENTAL INC.)

Address Windsor Highway-Route 32 South, New Windsor, NY

~~Architect~~, Engineer, ~~Architect~~ SHAW ENGINEERING

3. Location of Site: Windsor Highway-Route 32 South, New Windsor, NY
(street or highway, plus nearest intersection)

Tax Map Identification: Section 9 Block 1 Lot 23.1

Present Zoning District PI Size of Parcel 11.36 ± acres

4. Type of Review:

☐ Special Permit Use* _____

☐ Variance* Use - Extension of Non-conforming use by less than 30%

Area _____

☐ Zone Change* From: _____ To: _____

☐ Zoning Amendment* To Section: _____

☐ Subdivision** Major _____ Minor _____

3/2/88
Date

Patricia A. Barnhart
Signature and Title

*Cite Section of Zoning Regulations where pertinent

**Three (3) copies of map must be submitted if located along County Highway, otherwise, submit two (2) copies of map.

OCPD-1

OFFICE OF THE PLANNING BOARD
TOWN OF NEW WINDSOR
ORANGE COUNTY, N.Y.

*This was
revised -
Ext. Non-Conforming
Property
only!*

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

File No. 87-70

Date 19 FEB '88

To: KWG REALTY CORP.
P.O. BOX 2628
NEWBURGH N.Y. 12550

PLEASE TAKE NOTICE that your application dated _____
for (~~Subdivision~~ - Site Plan) _____
located at WINDSOR HWY. ROUTE 32

is returned herewith and disapproved for the following reasons.
USE IS LOCATED IN PI ZONE AND USE PROPOSED
IS NOT PERMITTED BY RIGHT OF SPECIAL PERMIT

SEE PLANNING BOARD MINUTES
ATTACHED (27 JAN 1988 MTG.)

Henry Scheible
Planning Board Chairman
HENRY SCHEIBLE

Requirements ***

Min. Lot Area 25 Acres.
Min. Lot Width 1000 Ft.
Req'd Front Yd. 400 Ft.

Proposed or
Available

11.36 A.
522 Ft.
195 Ft.

Variance
Request

13.64 A.
478 Ft.
205 Ft.

*Not revised
Ext. Non-Property
only!*

NOTICE OF DISAPPROVAL OF SITE PLAN OR SUBDIVISION APPLICATION

File No. 87-70

Date 19 FEB '88

To: KWG REALTY CORP.
P.O. BOX 2628
NEWBURGH N.Y. 12550

PLEASE TAKE NOTICE that your application dated _____
for ~~(Subdivision)~~ - Site Plan) _____
located at WINDSOR HWY. ROUTE 32

is returned herewith and disapproved for the following reasons.

USE IS LOCATED IN PI ZONE AND USE PROPOSED
IS NOT PERMITTED BY RIGHT OR SPECIAL PERMIT

SEE PLANNING BOARD MINUTES
ATTACHED (27 JAN 1988 MTG.)

Henry Scheible
Planning Board Chairman
HENRY SCHEIBLE

Requirements ***

Min. Lot Area 25 Acres.
Min. Lot Width 1000 Ft.
Req'd Front Yd. 400 Ft.
Req'd. Side Yd. 400/800 Ft.
Req'd. Rear Yd. 400 Ft.
Req'd. Street
Frontage* N/A
Max. Bldg. Hgt. 4% Ft. to L.L. = 46.7'
Min. Floor Area* N/A
Dev. Coverage* N/A %
Floor Area Ratio .1

Proposed or
Available

11.36 A.
522 Ft.
195 Ft.
140 X 665 Ft.
465 Ft.
N/A
18 Ft.
N/A
N/A %
.052

Variance
Request

13.64 A.
478 Ft.
205 Ft.
260/135 Ft.
—
—
—
— %
—

* Residential Districts only

** Non-residential Districts only

*** Based on Most Restrictive Bulk
Reqs for Zone of Project.

Mr. Edsall: Maybe we can get a clarification. I am confused from reviewing the Plan. Are you looking to subdivide the green parcel?

Mrs. Bailey: Not at this time, that is future.

Mr. Edsall: You are doing a lot line change and creating an access through the front lot and what is left of the front lot you are now subdividing after the lot line change.

Mr. Van Leeuwen: They are planning to increase the size of this lot and this lot.

Mr. Edsall: You are doing a lot line change first then you are subdividing the front parcel. Is it definitely going to be established as a private road, otherwise the proposed lot 2 has no frontage and you will need a variance. There has to be access to a public or private road otherwise you will need a variance. Dual access will be eliminated. We are still limited to the number of lots based on the Town ordinance.

Mrs. Bailey: The variance we would have to go before the zoning board of appeals for that variance?

Mr. Van Leeuwen: Yes.

Mr. Edsall: It would be required that a road be put in be it not public but at least private. The road would have to be a sufficient size and length.

Mr. Rones: I think you ought to submit two applications. One for the lot line change and one for the subdivision.

Mrs. Bailey: Who would I be submitting the subdivision for.

Mr. Edsall: The Andres are actually being subdivided after the lot line is done and the lot line between the two marks the lot line will have both lines. the subdivision will have the Andres.

Mrs. Bailey: Thank you very much.

GALLAGHER TRUCKIN 70

Mr. Gregory Shaw came before the Board representing his proposal along with Frank Gallagher.

Mr. Shaw: For the record, my name is Gregory Shaw and I am representing this proposal and this is Mr. Frank Gallagher. Our proposal before you tonight is the approval of a 57' x 60' building for this portion of the side which is going to be for the new trucks sales/showroom. The subject parcel is 11.36 acres and lies with its lines sharing the Town of New Windsor with a small portion of the City of Newburgh. The parcel is in a PI Zone and the zoning schedule and site plan have been designed on a zoning designation of design shopping. A vehicle salesroom is not a permitted use in planned industrial. It is in a design shopping and that is what we predicated our site plan on. The overall parcel as you can see is about 11 acres. There is an awful lot of line work on the parcel but the area under construction is this particular area

as indicated on the plan.

Mr. Van Leeuwen: It is not under construction yet?

Mr. Shaw: No, I hope to once we get the building permit. What you see on the drawing is a lot of line work which designates the parking spaces. These are not new. What I have done is sat down and pretty much taken what is required with respect to parking under the ordinance and put it to the site. What we need is substantially more than what we are required to provide. On the parking schedule for the existing building where we are required to provide 36 spaces based on four spaces per bay, we are providing 101. With respect to employee parking, we are required to provide 27 and we are providing 79. With respect to the new facility, 21 spaces again where we are providing 168. So you are looking at 340 spaces throughout the entire plan.

Mr. Van Leeuwen: I really don't think there is any question about the parking.

Mr. Shaw: I didn't want the Board to get confused. We are not generating new parking. The purpose of this is not that we are going to be generating new vehicles. The vehicles that are going to be parked in these spaces are on the site now. We are not going to be generating more traffic or utilizing more of the land area for this facility. If you take a look on Route 32 everyday you ride by you will see that this area has the light duty pickup trucks. We are going to put it in a more orderly fashion. For the other members of the Board the facility is comprised of heavy duty trucks as the acting chairman has said, school buses, rental, coaches, coaches that are used on a daily basis, and also in this particular area light duty parking. The point I want to touch on and maybe we can get some feed back from the building inspector. This is in a PI zone and a truck sales falls under design shopping zone and we are of the opinion that we fall under a grandfather clause because we are not exceeding 25%.

Mr. Rones: For expansion of a non-conforming use,

Mr. Shaw: What we are looking for is site plan approval for a 57' x 60' building for a new truck sales showroom.

Mr. Rones: From a procedural point of view so the zoning board has the input of the planning board, perhaps that there will be a concept approval or some type of recommendation from the planning board to the zoning board of appeals on his application for extending the non-conforming use. Maybe there could be some action taken or preliminary finding made with respect to his site plan so that the zoning board would know what the planning board's views are with respect to the application on the non-conforming use.

Mr. Jones: I think they should know.

Mr. Rones: I know they want to know whenever they get a referral from the planning board they want to know what the planning board's views are. When they follow it, it is another story, but they really do want to have the recommendation. The ordinance says that structures devoted to a non-conforming use may be extended to an extent not to exceed 30% of the ground floor area existing at the time of the local law

provided further that the zoning board of appeals find that and then there is a variance finding. The site plan is something which should be acted upon by the planning board but the extent of the non-conforming use is a matter that has to be acted upon by the zoning board of appeals.

Mr. Edsall: You should pass him on to the zoning board of appeals for their determination but pass on a recommendation so that they know how you feel.

Mr. Babcock: Make sure any recommendations are on the record so that we can send the zoning board of appeals a copy of the minutes so that they get your view points please.

Mr. Van Leeuwen: Does anybody have a problem with it?

Mr. Lander: No.

Mr. Pagano: No.

Mr. Jones: No, just that we go along with the zoning board of appeals.

Mr. Jones: I make a motion that we give conceptual approval to the Gallagher Trucking Site Plan and forward this to the zoning board of appeals for their determination on the extension of the non-conforming use.

Mr. Pagano: I will second that motion.

Roll called by Mr. Pagano.

MR. PAGANO:	AYE
MR. JONES:	AYE
MR. LANDER:	AYE
MR. VAN LEEUWEN	AYE

Mr. Shaw: To expedite the application, is it possible to have the site plan circulated amongst the department heads and start getting their feed back while we go to the zoning board of appeals.

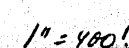
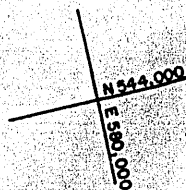
Mr. Babcock: Ok, sure.

Being that there was no further business to come before the Board, a motion was made that the January 27, 1988, New Windsor Planning Board meeting be adjourned by Mr. Jones, second by Mr. Pagano and approved by the Board.

Respectfully submitted,



FRANCES SULLIVAN
Stenographer



PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York will hold a Public Hearing pursuant to Section 48-34A of the Zoning Local Law on the following proposition:

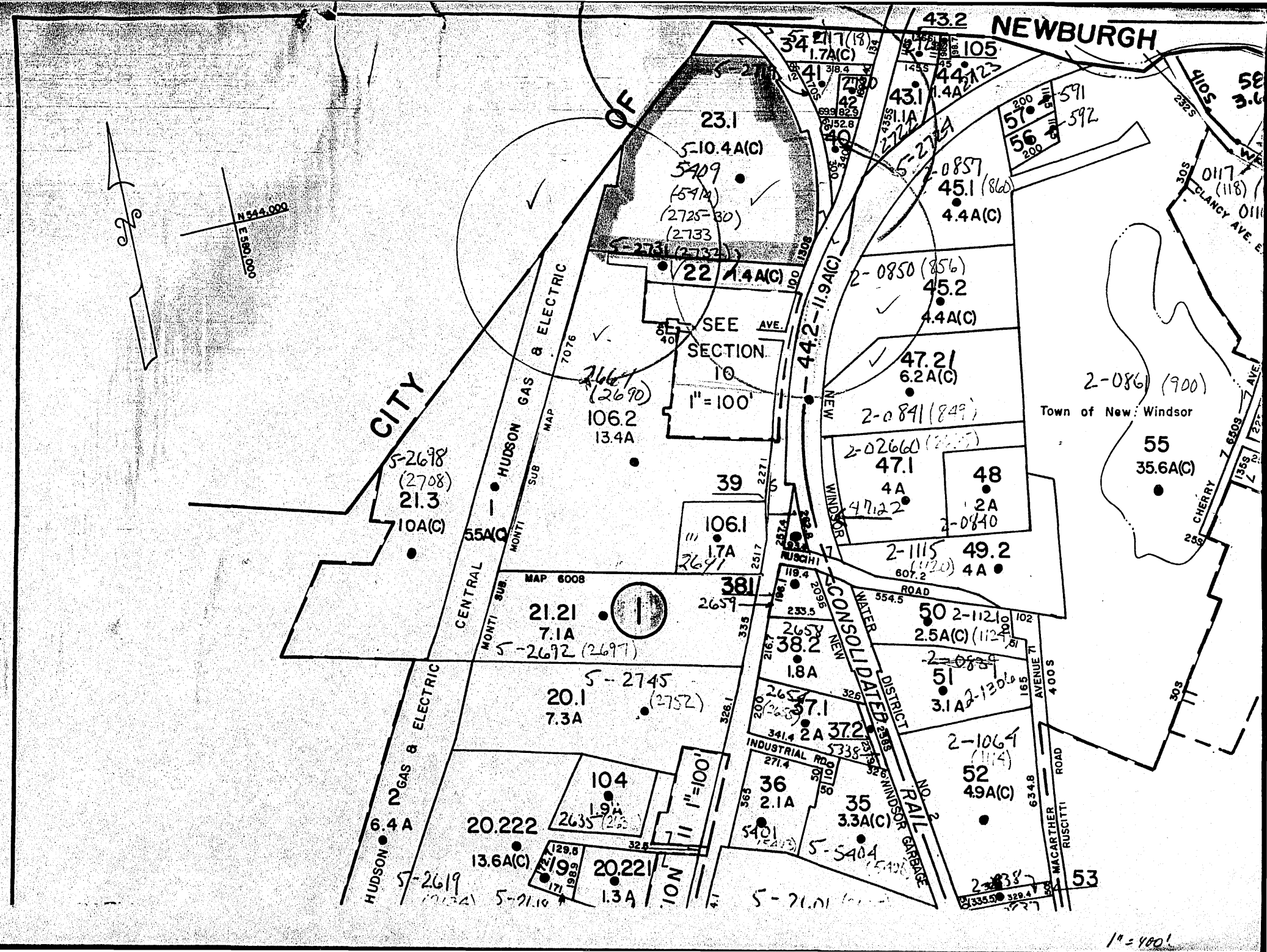
Appeal No. 12

Request of KWG REALTY CORP. (GALLAGHER TRUCK LEASING CORP.) for a VARIANCE of the regulations of the Zoning Local Law to permit extension of a non-conforming use by adding a vehicle showroom for new truck sales; being a VARIANCE of Section 48-24B(3) of the Zoning Local Law for property situated as follows:

Windsor Highway Route 32 South, New Windsor,
N. Y. known and designated as New Windsor
Tax Lot Section 9 - Block 1 - Lot 23.1.

SAID HEARING will take place on the 14th day of March, 1988 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, N. Y. beginning at 7:30 o'clock p.m.

JAMES NUGENT, Chairman



10-1-1

2

3

4

5

6

7

8

10-2-1

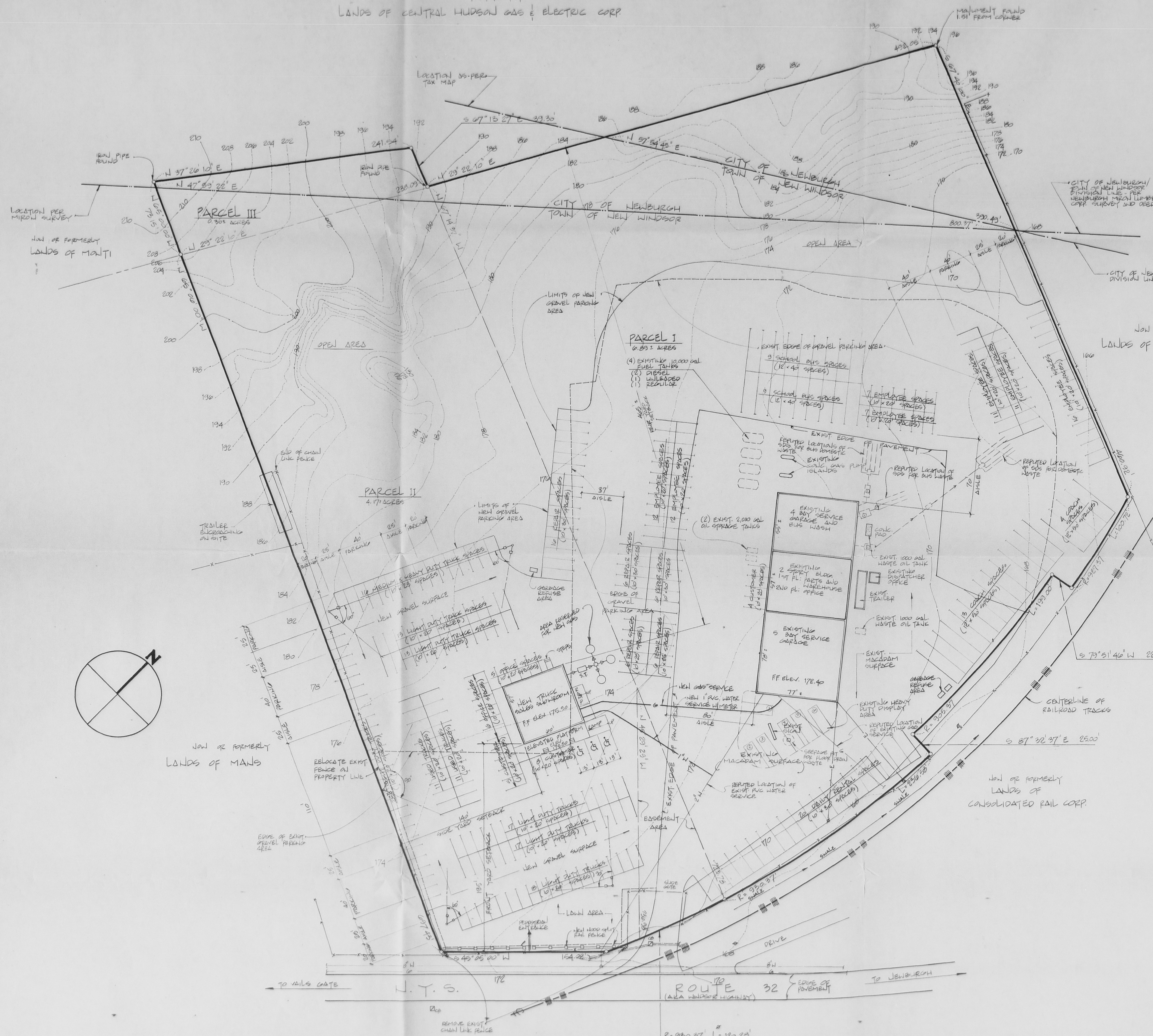
2

3

4

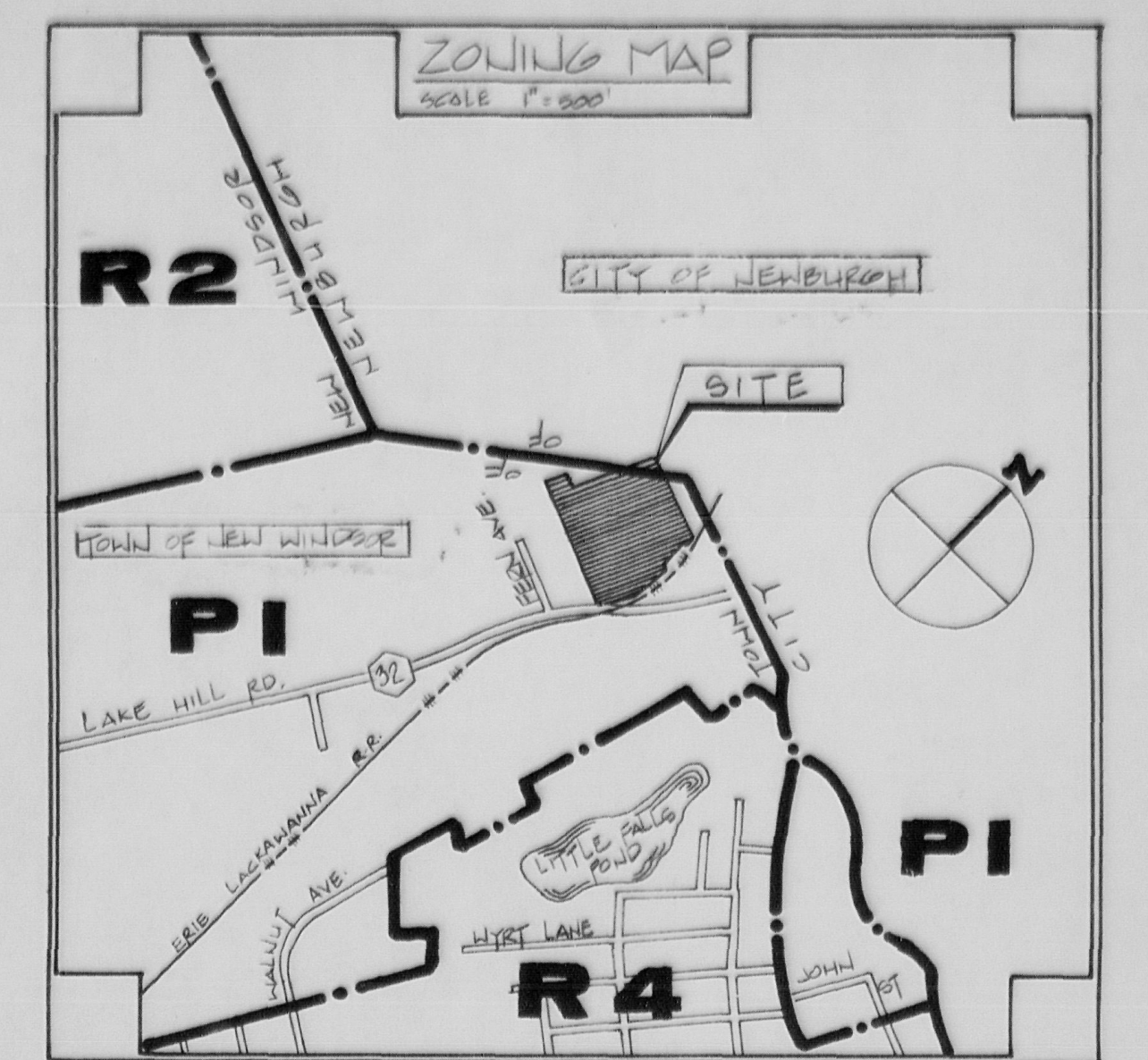
5

LANDS OF FORMERLY
LANDS OF CENTRAL HUDSON GAS & ELECTRIC CORP.



NOTES

- 1) ALL SANITARY SEWER DISPOSAL SYSTEMS SHALL BE DESIGNED AND CONSTRUCTED IN ACCORDANCE WITH NEW YORK STATE DEPARTMENT OF HEALTH STANDARDS AND THE PROVISIONS OF THE PUBLIC HEALTH LAW.
- 2) ALL SANITARY SEWER DISPOSAL SYSTEMS SHALL BE DESIGNED BY A NEW YORK STATE LICENSED DESIGN PROFESSIONAL AND APPROVED BY THE TOWN OF NEW WINDSOR BUILDING DEPARTMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT. THE SYSTEM SHALL BE INSPECTED DURING CONSTRUCTION AND CERTIFIED AS TO CONFORMANCE TO DESIGN BY THE DESIGN PROFESSIONAL PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY.



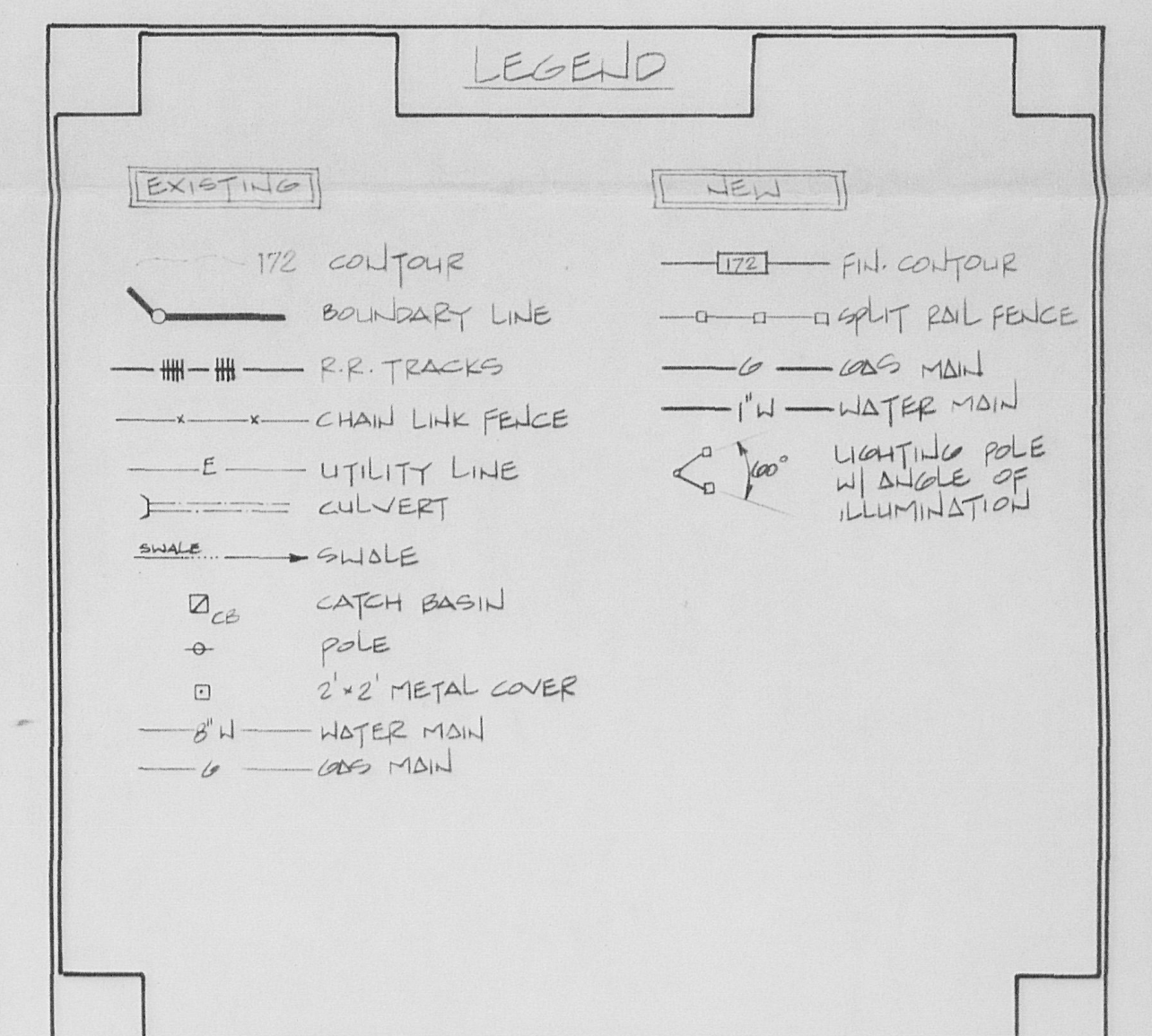
ZONING SCHEDULE

MINIMUM REGULATIONS OF ZONE (DESIGN SHORTEST)

ZONE	PI	REQUIRED	PROVIDED
LOT AREA	5 ACRES	11.30 ACRES	
LOT WIDTH	200 FT	532 FT	
FRONT YARD MIN	100 FT	135 FT	
REAR YARD MIN	50 FT	405 FT	
SIDE YARD SETBACK	50 FT	140 FT	
TOTAL BOTH SIDES	100 FT	605 FT	
STREET FRONTAGE	50 FT	154 FT	
MAX BLDG HEIGHT	13 FT	13 FT	
DEVELOPMENT COVERAGE	10 %	3.6 %	

PARKING SCHEDULE

EXISTING BUILDING	REQUIRED	PROVIDED
- 4 BAY SERVICE BUILDING (4 BAYS @ 4 SPACES/BAY)	16	16
- 5 BAY SERVICE BUILDING (5 BAYS @ 4 SPACES/BAY)	20	20
COACH & SCHOOL BUS STORAGE REPAIR	-	59
EXTENSIVE TRUCK DISPLAY	-	0
TOTAL	36 SPACES	95 SPACES
OFFICE: 4,383 SF		
4,383 SF @ 1 SPACE/200 SF	22	22
PARTS & WAREHOUSE: 4,383 SF		
4,383 SF @ 1 SPACE/1000 SF	5	5
EMPLOYEE PARKING	-	52
TOTAL	27 SPACES	77 SPACES
NEW TRUCK SALES SHOWROOM		
SHOWROOM: 1725 SF	12	13
1725 SF @ 1 SPACE/150 SF		
OFFICE: 1895 SF	3	11
1895 SF @ 1 SPACE/200 SF		
- NEW LIGHT DUTY TRUCK DISPLAY	-	100
- NEW MEDIUM AND HEAVY DUTY TRUCK DISPLAY	-	10
- USED TRUCK DISPLAY	-	22
TOTAL	21 SPACES	145 SPACES



COVERAGE SCHEDULE

	18,050 SF	3.6%
BUILDING		
PAVEMENT/GRVEL	287,010 SF	53.0%
OPEN SPACE	189,780 SF	33.4%

NOTES

- 1) TOTAL AREA: PARCEL I 0.89 ACRES, PARCEL II 4.17 ACRES, PARCEL III 0.30 ACRES, TOTAL 11.36 ACRES
- 2) RECORD OWNER AND APPLICANT: K.H. REALTY CORP. 125 BOX 2028 NEWBURGH, N.Y. 12556
- 3) BOUNDARY & TOPOGRAPHIC SURVEY INFORMATION OBTAINED FROM BOUNDARY & TOPOGRAPHIC SURVEY PREPARED BY ELIAS G. GREGG, L.S. AND DATED SEPT 4, 1987
- 4) PARCEL TAX MAP DESIGNATION: DIST 3-BLOCK 1-LOT 231
- 5) ELECTRIC SERVICE TO NEW TRUCK SALES SHOWROOM SHALL BE UNDERGROUND
- 6) THE LOCATION OF THE EXISTING UTILITIES ARE TO BE CONFIRMED BY EXCAVATION PRIOR TO EXCAVATION. THE CONTRACTOR SHALL VERIFY THEIR LOCATION.
- 7) N.Y. STATE INDUSTRIAL CODE, CHAPTER 2, ARTICLE 2015 NOTICE BEFORE EXCAVATION, DRILLING OR BLOWING UNDERGROUND UTILITIES CALL CENTER NUMBER: 1-800-245-2838

Shaw Engineering
Consulting Engineers
744 Broadway
Newburgh N.Y. 12550

NOTE:
UNAUTHORIZED ADDITION OR ALTERATION OF THIS PLAN IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW

Drawn By: *[Signature]*
Checked By: *[Signature]*
Scale: 1"=40'-0"
Date: 10-7-87

Drawing: **SITE PLAN**
Project: NEW TRUCK SALES SHOWROOM FOR **GALLAGHER TRUCKING**
ROUTE 32 NEW WINDSOR N.Y.

51
Project No: 8736